

**PRIVATE DETECTIVE ADVISORY COMMITTEE
MINUTES
MADISON, WISCONSIN
June 8, 1999**

PRESENT: James Gilboy, James Krause, Karen Morales, Gary Peterson, John Schatzman, Paul Klumb and Johnny Cash

ABSENT: David Cihlar, Robert Hoeg, Edward O'Brien, and Steven Watson,

STAFF PRESENT: Clete Hansen and Becky Fry; Darwin Tichenor and Marlene Cummings were present for portions of the meeting.

CALL TO ORDER

The meeting was called to order at 9:37 a.m. by Clete Hansen upon confirmation that the public notice was timely given.

APPROVAL OF AGENDA

The Licensing Examinations issue was moved down the agenda until Darwin Tichenor was available.

By consensus, the agenda was adopted, as amended.

MINUTES (4/13/99)

MOTION: Gary Peterson moved, seconded by Karen Morales, to approve the minutes as written. Motion carried unanimously.

ADMINISTRATIVE REPORT

Secretary Cummings' Report

Secretary Cummings was not available at the beginning of the meeting but did attend during discussion of firearms, and took pictures of the Committee.

Bureau Director's Report

Clete Hansen introduced public member, Johnny Cash, and asked him to give the Committee some history about himself. The other members of the Committee introduced themselves.

The Committee received a copy of an Opinion of the Attorney General in regards to expert witnesses. Noted.

- **Roster**

Clete Hansen noted the updated roster and asked the Committee to indicate any changes or corrections.

- **Legislation**

Clete Hansen gave the Committee a copy of the 1999 Assembly Bill 267 relating to electronic signatures. Noted

LICENSING EXAMINATIONS

Darwin Tichenor distributed a copy of the Private Detective Exam Content Outline and sample questions for the Committee's review and comments. He explained to the Committee the process for developing and reviewing the questions.

Committee members reviewed the exam questions and expressed concern about a few of the questions. Darwin Tichenor and Clete Hansen explained that questions are taken from resources and reference materials available to the people who sit for the exam.

The Committee discussed the issue of poor test takers and the consideration made for those people. Darwin Tichenor explained that there is no realistic way to accommodate people who are poor test takers, but perhaps good workers. He further explained that some of the exam questions do relate to practical skills.

WHO IS REQUIRED TO BE LICENSED?

Agency Names

Committee members expressed their concern with the possible misrepresentation to the public in relation to some agency names. Concern was also expressed with the use of the state seal on badges and letterhead. Clete Hansen informed the Committee of the attorney general's opinion that the state seal may be used unless it is used with the intent to mislead or misrepresent.

A Committee member recommended that there should be a standard format for state-issued photo identification cards. This issue will be on the agenda for the next meeting.

Directly and Indirectly Employed"

Clete Hansen referred to a memo from Robert Ganch, regarding the interpretation of "employed directly or indirectly."

The Committee reviewed and discussed s. 440.26(5)(b), Stats., and the Illinois language used in a similar provision.

MOTION: John Schatzman moved, seconded by Karen Morales, to recommend that the Department propose legislation with language similar to the Illinois language in Sec. 30 – Exemptions. Motion carried unanimously.

FIREARMS

Clete Hansen asked the Committee for comments on permitting a private detective to be armed. Comments included: the need to be qualified to carry firearms and keep current; the need to continue range practice for accuracy; and the need for criteria for keeping up to date with training. One member stated that unless you raise the standards for education and training, you would not get a qualified individual to carry firearms.

The Committee discussed the National Rifle Association (NRA) training and the Defense and Arrest Tactics (DAT) training.

Some Committee members advised that the Professional Association of Wisconsin Licensed Investigators (PAWLI) has no official position on the issue of carrying concealed weapons.

Clete Hansen questioned whether there is any advantage or reasonableness to allow private detectives to carry firearms in plain view. The Committee disagreed with plain view carry. The opinion of the Committee is that the law would have to prohibit carrying a firearm or permit concealed carry only.

One member commented that if a person were willing to go through all of the training, they should be allowed to carry a weapon.

Another member asked Clete Hansen how surrounding states are handling the firearms issue and requested statistics. Clete will have information from other states for the next meeting.

Secretary Cummings proposed that there could be several levels of training of private detectives and that the top level be permitted to carry concealed weapons.

Secretary Cummings informed the Committee of a board member workshop to be held July 14 and 15, 1999.

GAPS OF INSURANCE COVERAGE – WORKERS COMPENSATION

The Committee received a copy of the Wis. Stats. Sec. 102.82, relating to penalties imposed by the Department of Workforce Development on employers who have a gap in Worker's Compensation insurance. Noted.

SEPARATION OF PRIVATE DETECTIVE AND PRIVATE SECURITY COMPANY LICENSES

This issue will be discussed at the next meeting.

ACTIVITIES REQUIRING LICENSING

This issue will be discussed at the next meeting.

SCHEDULE NEXT MEETING

The next meeting is scheduled for Tuesday, September 21, 1999 at 9:30 a.m.

ADJOURNMENT

The meeting adjourned at 12:14 p.m.